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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 RAIN FOREST HYDROCEUTICALS,
11 INC. , et al.,

12 Plaintiffs,

13 v.

14 HYDRO SCIENCE AND
15 TECHNOLOGY, LLC, et al.,

16 Defendants.

Case No. 2:08-CV-00505-KJD-LRL

ORDER

17 Currently before the Court is Defendants Marcos Gonzalez, Hydro Science and Technology,
18 LLC, MSJIt, LLC, Finnie Mathew, Monsoon Global Asia, Ltd., Omega 3, LLC's ("referred to
19 collectively as "Defendants") Motion for Attorney Fees (#22). Plaintiffs did not file any points and
20 authorities in opposition. Specifically, Defendants seek that the Court award them attorney's fees in
21 the amount of \$4,004.50 pursuant to Fed. R. Civ. P. 54(d) for legal services rendered during its
22 litigation of the instant case.

23 The Court finds that Defendants have provided the appropriate supporting affidavits, time
24 records, and information to support their Motion. Moreover Plaintiffs have failed to file points and
25 authorities in opposition to the Motion, as allowed pursuant to Local Rule 7-2(d). Local Rule 7-2(d)
26 provides that "[t]he failure of an opposing party to file points and authorities in response to any

1 motion shall constitute a consent to the granting of the motion.” Here, Plaintiffs failure to file an
2 opposition constitutes a consent to the granting of Plaintiff’s Motion.

3 This case was dismissed by the Court on May 5, 2010, for want of prosecution under Local
4 Rule 40-1, as Plaintiffs had failed to take any action in the case since the filing of their Complaint on
5 April 22, 2008, and because Plaintiff had failed to respond to the Court’s Orders (##14, 15) to file a
6 joint status report. Moreover, the Status Report filed March 22, 2010, by Defendants averred that in
7 spite of the Court’s Order (#13) granting Defendant’s Motion to Compel Arbitration, “arbitration had
8 not been scheduled”, “due to Plaintiffs’ lack of contact or response”. (#20 at 1.)

9 Accordingly, good cause appearing, **IT IS HEREBY ORDERED** that Defendants Marcos
10 Gonzalez, Hydro Science and Technology, LLC, MSJIt, LLC, Finnie Mathew, Monsoon Global
11 Asia, Ltd., Omega 3, LLC’s Motion for Attorney Fees (#22) is **GRANTED**.

12 DATED this 6th day of October, 2010

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Kent J. Dawson
United States District Judge